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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,671	02/18/2004	S. Murad Sarp	1848.0230000/MVM/BSW	8538

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EXAMINER

SMITH, CREIGHTON H

ART UNIT PAPER NUMBER

2645

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/779,671

Applicant(s)

SARP ET AL.

Examiner

Creighton H. Smith

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 12-24, 26-31 are is/are rejected.
- 7) ☒ Claim(s) 10, 11 and 25 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>09-08-2004</u> . | 6) <input type="checkbox"/> Other: ____. |

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,3-8, 12, 15, 17-19, 21, 27, 28, 29, 30, 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Gupta et al '899 or McAllister et al '450.

Gupta et al disclose how a subscriber can dynamically provision, i.e., assign desired characteristics to any "target station," which is an active phone – Abstract, 1st sentence. In the 2nd sentence of the Abstract, Gupta et al disclose that any call originating thereafter from the target phone (including pay phone or mobile phone) then can use the customized calling features (speed calling, conferencing, account code dialing). A service profile is created and stored for each subscriber, containing information describing desired features and billing options, Abstract. Thereafter, the characteristics of a particular target station are changed by an activation process that can be initiated from any location, Abstract. When a call is originated in the target station, information in the database is applied to the switch to provide the desired characteristics, Abstract. Gupta's dynamic configuration module is the query database 102.

Similarly, McAllister et al discloses allowing a subscriber's service profile to be transferred from phone to phone. In col. 4, lines 45-50, McAllister et al disclose a central office switching system capable of processing a call using profile information selected in response to a virtual equipment number. An office number is virtual where it is assigned to an individual subscriber, instead of to specific telephone equipment. In

Art Unit: 2645

lines 60-68, McAllister et al disclose that in response to a virtual office equipment number received via the signaling interface, e.g. from a separate peripheral platform, the processor retrieves a subscriber profile corresponding to the virtual office equipment number from storage. In col. 5, lines 20-25, McAllister et al disclose that a subscriber may call in from any line and request or activate the service with respect to that line for one call or for some period of time. Also see col. 11, lines 55-59 & lines 62-66; col. 21, lines 17-23 & col. 22, lines 17-43. McAllister discloses in col. 7, lines 10-11, that trunk circuits (not shown) carry communication traffic between central office switches.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 9, 13, 14, 16, 20, 22, 23, 24, 26, are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta et al or McAllister et al

Neither Gupta nor McAllister specifically discloses that their features provisioning system is to be used in a PBX environment, but rather both references disclose it used in a central office environment. Newton's Telecom Dictionary's definition of PBX is that the PBX is a small version of the phone company's larger central switching office. Therefore, a person possessing ordinary skill in the art would have readily concluded that it would have been obvious to have included either Gupta's or McAllister's devices in a PBX. Regarding claim 9, Gupta's Figure 5 shows a few of the different features that can applied to phone, such as billing characteristics, speed dialing, call pickup,

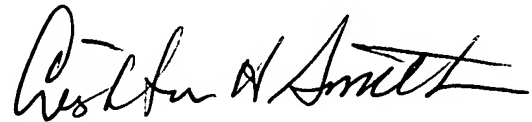
Art Unit: 2645

outgoing screening list, and call transfer. McAllister et al discloses in col. 11, lines 43-46, that call forwarding is another provisioning item that can be included with a subscriber's service profile. To have also included voice mail, button-map assignments, call waiting, and hold would have been obvious because of the multitude of different combinations of provisioning items that one can pick from to include on their phone line. Regarding claims 22 & 23, Gupta discloses that the virtual extension, i.e., the target station information, is entered by an ANI trigger. The use of a prompt by applicant's system for prompting the user to manually enter the virtual extension of the phone is deemed obvious in view of Gupta's teaching of using ANI to get the target phone's number. regarding claim 23, the use of passwords for accessing systems like this are old and well known

Claims 10, 11, 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication should be directed to Creighton H. Smith at telephone number 571/272-7546.

15.08.05



Creighton H Smith
Primary Examiner
Art Unit 2645